



MONTANA COUNTY ATTORNEYS ASSOCIATION

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TO: Members of the Law and Justice Interim Committee

FROM: Montana County Attorney Association

June 28, 2019

RE: Study Bills and Interim Workplan

Thank you for your work during the 2019 Session. As the chief legal officer in each county, we look forward to assisting however we can during this Interim to keep our communities safe.

We appreciate your support of some of our highest priority bills during the 2019 Session including: correcting the mandatory minimum sentence for child sex offenders (SB 155), clarifying the procedure for those applying for early termination of sentences and conditional release (HB 463), extending the Criminal Justice Oversight Council (HB 369), and doing your part to get dangerous drivers off our roadways (HB 534- vetoed DUI bill).

You now have before you four suggested studies and a recommendation. Given problems with the most recent cycle to distribute federal Victims of Crime Assistance (VOCA) grants, we urge you to consider spending time on HJ 31 to study the Board of Crime Control. First, we want to be sure this important Board remains functioning for years to come. Second, we believe more resources need to be directed to fund crime victim services. In 2019, our organization brought forward SB 22 to increase the victim-witness surcharge that was tabled in Judiciary. County Attorneys believe that those who commit crime should then pay for the statutorily-required help that their victims need. We urge you to reconsider this option for funding these important services.

Thank you for including county attorneys in the list of stakeholders to SJ 19, a study of the sexual and violent offender registry. Nothing is more important to us than ensuring that sexual offenders are getting properly evaluated and placed in the correct setting to best guarantee they will not reoffend.

We encourage you to continue to discuss DUI penalties and prevention to keep the most dangerous drivers off our roadways. You passed HB 534 to increase the penalties for 5th and subsequent DUI offenders, but the bill was later vetoed. You also considered SB 65, which would have rewritten the DUI code to be more understandable and create a graduated system of treatment and penalties. The bill was defeated, but created a starting point for discussion over the Interim. We all must do something to stop Montana from continuing to be the state with the highest rate of DUI fatalities.

Finally, County Attorneys and Judges from around the state are implementing diversion programs for low-risk drug offenders who need treatment more than a criminal record. We would support more resources to create more of these programs around the state and get early intervention to our young people so that they do not have to ruin their entire lives from addiction. This Committee may benefit from learning more about these programs, their success, and ultimately their savings to the state budget.